

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

PATRICIA LYNN WIESZCIECINSKI,

Plaintiff,

Case No. 14-cv-14695

v.

Honorable Thomas L. Ludington

ALBERT ALFRED GOULETTE, et al.,

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING
PLAINTIFF'S COMPLAINT**

On December 11, 2014, Plaintiff Wieszcieski filed a pro se Complaint¹ alleging a number of sundry causes of action. Plaintiff makes no discernible factual allegations in her complaint. The only matter contained in her complaint is the cause of action boxes she checked on the civil cover sheet, and the single attached page on which she has written the names and addresses of various individuals and, it appears, identified a wrongful death cause of action. ECF No. 1.

On January 8, 2015, Magistrate Judge Patricia T. Morris issued a report recommending that Plaintiff's Complaint be dismissed *sua sponte* because Plaintiff does not allege any basis for this Court's jurisdiction. Rep. & Rec. 3, ECF No. 5. Judge Morris notes that Defendants are all citizens of Michigan and Plaintiff does not allege a federal cause of action. *Id.*

The Magistrate Judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within fourteen days of service of the report. Neither Plaintiff nor Defendants filed any objections. The election not to file objections to the Magistrate

¹ The Complaint was, inexplicably, docketed as a notice of removal.

Judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). The failure to file objections to the report and recommendation waives any further right to appeal.

Plaintiff did not file any objections. This could perhaps be explained by the fact that she was not served with the Report, which was returned undeliverable. ECF No. 8. All parties have an obligation to provide the Court with notice of new contact information. E.D. MICH. L.R. 11.2. A party's noncompliance with Local Rule 11.2 can result in appropriate sanctions, including dismissal. *Id.* Since Plaintiff's case is to be dismissed on other grounds, no sanctions will be imposed. As a practical matter, however, this order cannot be served upon her since she no longer has a current address listed on the docket.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation, ECF No. 5, is **ADOPTED**.

It is further **ORDERED** that Plaintiff's Complaint, ECF No. 1, is **DISMISSED WITH PREJUDICE**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: May 8, 2015

<p style="text-align: center;">PROOF OF SERVICE</p> <p>The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on May 8, 2015.</p> <p style="text-align: right;"><u>s/Karri Sandusky</u> Karri Sandusky, Acting Case Manager</p>
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